

Indiana Regulatory Occupations Evaluation Committee Minutes of the November 16, 2011 Committee Meeting

Call to Order & Establishment of Quorum

The Regulatory Occupations Evaluation Committee (ROEC) meeting was called to order on Wednesday, November 16th in the Government Center South Conference Room W064 at 9:00 a.m.

Committee members present:

- John Graham, Committee Chair
- Barry Boudreaux
- Gloria Downham
- Frances Kelly
- Dave Miller
- Sally Spiers
- Rita Springer

IPLA staff members present:

- Gale Albright
- Marty Allain
- Lisa Bentley

Presentation of “Part B” Assessment for Indiana Optometry Board, Douglas Morrow, O.D., Board Chair

Douglas Morrow, Board Chair for the Indiana Optometry Board presented Part B to the committee (attached hereto as Exhibit A) the following information highlights what was contained in that report:

- a. Proactive Surveillance
- b. Complaint Process & Nature of Complaints
- c. Effectiveness of Current Regulation – Reduced Consumer Harm
- d. Appropriate Regulatory Mechanism & CE Requirements
- e. Affects of Regulatory System
- f. Adequate Resources/Fees vs. Adequate Regulation

Dr. Morrow presented the following recommendations to the committee:

- Grant optometrists controlled substance prescriptive authority.

- Designate a compliance officer to the board for the purposes of creating, for the first time in Indiana, a regulatory expert dedicated solely to the practice of optometry that would identify issues and act on consumer complaints.
- Access a compliance fee, in addition to current application and renewal fees, and retain all disciplinary fines for the purposes of establishing a compliance fund to provide autonomous resources to the board to be used for public education, licensee retaining and education initiatives, and the funding of a compliance officer.

Committee Member:	Have the Optometry associations pursued legislation regarding recommendation #1 in the past?
Dr. Morrow:	He responded that in 2004 they did seek legislation regarding controlled prescriptive authority but it was opposed by the ophthalmologist group.
Committee Member:	If controlled prescriptive authority were granted, what type of training would be involved and why do you feel you would have the authority to prescribe?
Dr. Morrow:	He replied that currently this type of training is taken during their college courses so they have the knowledge base. There is also a 20-hour therapeutic education requirement during recertification every two years. In the last five years these substances are becoming more of an integral part of daily lives and the need for them increases.
Committee Member:	Why do you feel the need for this type of prescriptive authority?
Dr. Morrow:	He stated that in many counties across the state of Indiana there are only optometrists in practice. He explained that if optometrists could work with these types of medications they would be able to treat eye injuries in their offices, without sending consumers to the emergency room thereby saving them money.
Committee Member:	Is there some type of ballpark figure for the percentage of eye injuries seen in emergency rooms?
Dr. Morrow:	He replied that he did not have those statistics on hand but approximately 50% of the eye injuries seen in the emergency room could probably have been treated in an optometrist's office.
Committee Member:	What level of prescriptive authority do you feel an optometrist should have?
Dr. Morrow:	He responded that what they feel is reasonable would be level 3 narcotics.

Committee Member: What is the reason the board, as well as others, is asking for a compliance officer when it will only give them one additional staff member?

Dr. Morrow: He replied that he feels it is common that each board would like to have their own compliance officer. He indicated that certain professions could work together and share an officer. He further stated that their board would like to begin proactively trying to resolve any complaint issues prior to a board hearing along with early educational efforts.

Presentation of “Part B” Assessment for Indiana Dietitian Certification Board, Cherry Chanley, Board Member

Cherry Chanley, Board Member for Indiana Dietitian Certification Board presented Part B to the committee (attached hereto as Exhibit B). Information discussed during that presentation is listed below:

- a. Proactive Surveillance
- b. Complaint Process & Nature of Complaints
- c. Effectiveness of Current Regulation – Reduced Consumer Harm
- d. Appropriate Regulatory Mechanism & CE Requirements
- e. Affects of Regulatory System
- f. Adequate Resources/Fees vs. Adequate Regulation

Cherry Chanley presented the following recommendations to the committee:

- Appoint gubernatorial appointments to field a complete board.
- Board meet 4 times a year, approach their appointment with a proactive stance, and become more visible.
- Dietitian certification be retained in Indiana.
- Transition from dietitian certification to dietitian licensure.
- Adopt the American Dietetic Association’s model of practice act as the core of dietitian licensure.

Committee Member: What does the term medical nutritional therapy mean?

Ms. Chanley: She responded that it is the scientific method to approach disease control with counseling techniques.

Committee Member:	Is there any evidence that compares cost savings for consumers between licensed dietitians and an unlicensed individual?
Ms. Chanley:	She explained that they did not have those statistics and therefore could not answer this question.
Committee Member:	With a \$2.67 employer savings per employee with lifestyle modifications, why do you feel more companies were not buying into this?
Ms. Chanley:	She replied that these numbers are trending upward and currently there are many jobs such as schools that already have dietitians on staff. It was further stated that there is now a registered dietitian on staff at Indiana University through the athletic program.
Committee Member:	Why is there is a lack of complaints against dietitians?
Ms. Chanley:	She responded that she felt it was due to the board's low visibility because of their lack of board members.
Committee Member:	Please explain the difference between a dietitian and a diabetic educator.
Ms. Chanley:	She replied that if an individual is not a registered dietitian they do not have training in medical nutritional therapy.
Committee Member:	Where did the medical nutritional therapy get its origin and how long it has been around?
Ms. Chanley:	She replied via the American Diabetic Association and has been in practice for approximately 15 years.

Findings and Recommendations of Indiana Optometry Board

Barry Boudreaux offered to write up the findings and recommendations on the Indiana Optometry Board and submit it via email to the other committee members.

Findings and Recommendations for Indiana Dietitian Certification Board

Sally Spiers volunteered to write up the findings and recommendations for the Indiana Dietitian Certification Board and she would also send it to the other committee members via email.

Review of Drafts for Year-End Report

The committee spent the next hour in discussions reviewing the other portions of the report until they felt it satisfied what they had covered. It was then decided there will be one final proof which all members will review and after final approval it would then be submitted to the Indiana Health Finance Commission prior to the end of the year.

Review REVISED Schedule

DECEMBER 7, 2011 – 9am-11am

- Final Review of Recommendations for Supplemental Report of Certain License Types Reviewed in 2011 for Health Finance Commission

JANUARY 25, 2012 – 9am-3pm

- Physician Assistant Committee – “Part A & B” presentation
- Real Estate Appraiser Licensure & Certification Board – “Part A & B” presentation

FEBRUARY 29, 2012 – 9am-12pm

- Findings and Recommendations of the Physician Assistant Committee and the Real Estate Appraiser Licensure & Certification Board

JUNE 20, 2012 – 9am – 2pm

- Finalize Report to HEALTH FINANCE COMMISSION (due not later than 7/1/2012)

AUGUST 22, 2012 – 9am-3pm

- Physical Therapy Committee – “Part A & B” presentation
- Indiana Athletic Trainers Board – “Part A & B” presentation

SEPTEMBER 19, 2012 – 9am-12pm

- Findings and Recommendations of the Physical Therapy Committee and the Indiana Athletic Trainers Board

The committee agreed to hear parts A and B combined in the new 2012 schedule. Chairman John Graham suggested that 2 more meetings be added to the calendar for April and May.

Review and Approval of Minutes

The October 12, 2011 minutes were reviewed and unanimously approved by committee members.

Adjournment

Chairperson Graham adjourned the meeting at approximately 2:30 p.m.

Dean John Graham, Chair

Date

Indiana Regulatory Occupations Evaluation Committee

Next Scheduled Meeting:

December 7, 2011

9:00 a.m.

Indiana Government Center South

Conference Center Room 10